

Confirm. No. 7644
512425-2102

REMARKS

Reconsideration and withdrawal of the rejections of this application and consideration and entry of this paper are respectfully requested in view of the herein remarks, which place the application in condition for allowance.

I. STATUS OF CLAIMS AND FORMAL MATTERS

Claims 1-24 are pending in this application. In order to expedite prosecution, claims 25 and 26 have been cancelled. Applicants reserve the right to file a continuation/divisional application to further pursue this subject matter. No new matter has been added by this amendment.

It is submitted that the claims, herewith and as originally presented, are patentably distinct over the prior art cited in the Office Action, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The amendments of the claims, as presented herein, are not made for purposes of patentability within the meaning of 35 U.S.C. §§§§ 101, 102, 103 or 112. Rather, these amendments and additions are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. ELECTION/RESTRICTION REQUIREMENT

For the record the applicants maintain their traversal as a proper restriction as it is not enough to assert that the inventions are patentably distinct; the inventions must also represent an undue burden on the office. see MPEP 803. Given that each of the claims ultimately center around the production of or the presence of the alkoxy-modified polysiloxanes, such a showing has not been made.

III. THE OBJECTIONS TO THE CLAIMS HAVE BEEN OVERCOME

Claims 1-24 were rejected because the variable "y" allegedly had to be zero. However, the molecule can still have at least one Si-H group when y is zero because the non-bracketed Si-groups can have an Si-H group.

Claim 3 was intended to include the text from the specification as recited on page 5, lines 3-7. Claim 3 has been amended to be consistent with this disclosure.

Claims 8, 9 and 13 have been amended to address the examiner's objections.

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Claim 1 has been amended to include the original text from the specification which includes saturated aliphatic alcohols (see page 4, lines 19-23 of the specification). Therefore, claim 13 now has antecedent basis from claim 1.

CONCLUSION

In view of the remarks and amendments herewith, the application is believed to be in condition for allowance. Favorable reconsideration of the application and prompt issuance of a Notice of Allowance are earnestly solicited. The undersigned looks forward to hearing favorably from the Examiner at an early date, and, the Examiner is invited to telephonically contact the undersigned to advance prosecution. The Commission is authorized to charge any fee occasioned by this paper, or credit any overpayment of such fees, to Deposit Account No. 50-0320.

Respectfully submitted,
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